



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

MICHAEL QUINCY WHITE,

Petitioner,

V.

LORIE DAVIS, Director,
Texas Department of Criminal
Justice, Correctional
Institutions Division,

Respondent.

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No. 4:17-CV-664-A

MEMORANDUM OPINION

and
ORDER

This is a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 filed by petitioner, Michael Quincy White, who was confined in the Correctional Institutions Division of the Texas Department of Criminal Justice (TDCJ) at the time the petition was filed, against Lorie Davis, director of TDCJ, respondent. After having considered the pleadings, state court records, and relief sought by petitioner, the court has concluded that the petition should be dismissed as moot.

I. Factual and Procedural History

By this habeas petition, petitioner challenges two 2016 disciplinary proceedings conducted at the James V. Allred unit of TDCJ and the temporary loss of recreation and commissary privileges and a reduction in line class status. (Resp't's Answer Exs. B & D.) In three grounds, petitioner asserts that his rights to due process were violated during the proceedings because the

Texas Bureau of Pardons and Paroles (hereinafter, the "Bureau") violated its own policies and state laws and because the disciplinary hearing officer denied him a hearing and found him guilty "absent policy and procedure." (Pet. 6-7.)

II. Discussion

The court has confirmed through telephonic communication with the Bureau on this date that petitioner was released on parole on July 26, 2018. A federal habeas petition challenging the validity of a prison disciplinary proceeding and punishment becomes moot, requiring dismissal of the petition, when the petitioner is released from prison. See *Bailey v. Southerland*, 821 F.2d 277, 278-79 (5th Cir. 1987); *Watkins v. Garrett*, 476 Fed. App'x 430, 2012 WL 1292763, at *1 (5th Cir. Apr. 16, 2012); *Watkins v. Vasquez*, 451 Fed. App'x 429, 2011 WL 5984753, at *1 (5th Cir. Nov. 28, 2011).

For the reasons discussed herein,

The court ORDERS that the petition of petitioner for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be, and is hereby, dismissed as moot. The court further ORDERS that a certificate of appealability be, and is hereby, denied.

SIGNED September 18, 2018.


JOHN MCBRYDE
UNITED STATES DISTRICT JUDGE